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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,499	11/09/2001	Steven R. Meizlish	MAEI/06	5584

7590

02/28/2003

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EXAMINER

SLACK, NAKO N

ART UNIT

PAPER NUMBER

3635

DATE MAILED: 02/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/986,499

Applicant(s)

MEIZLISH, STEVEN R.

Examiner

Naoko Slack

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 11-19, 23, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,257,644 B1 to Young in view of US Patent 5,603,546 to Desir, Sr. Young discloses an extruded trim molding for a glass panel of an automobile, the trim (15) comprising a back wall (25), first and second sidewalls (20 and 21) defining a channel to receive the glass panel (12), adhesive (24) disposed on the back wall to bond the glass panel to the trim, and a third sidewall (18, Figure 2) extending from a first end of the back wall in a direction opposite the first and second side walls and a third sidewall (44, Figure 4) extending from a second end of the back wall in a direction opposite the first and second side walls. The third sidewall arcuately extends from the second end of the back wall such that the convex of the arc is angled toward the back wall (Figure 4). The trim molding is formed of an extruded polymeric material such as PVC having a Shore hardness of about 80-90 (column 2, lines 48-52).

Young fails to show the use of a double-sided adhesive tape for attaching the glass panel to the trim molding. Desir Sr. discloses a glass window molding, explains the problem of inconsistent application of traditional butyl adhesives (column 3, lines 29-

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33) on the window moldings, and discusses the benefits of using a pressure sensitive tape (55) with tape liner (69) for attaching the glass panel (13) to the trim molding (11). Desir Sr. also discloses that the use of the adhesive tape reduces expansion differentials when the trim molding is exposed to high temperatures (column 4, lines 3-5).

In view of Desir Sr., it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a double sided adhesive tape on Young's trim molding to retain the glass panel in the trim molding, eliminating the inconsistencies in application of liquid adhesive beads and gaining the additional benefit that the use of adhesive tape reduces expansion differentials. Young's motivation is expressed in the complaint that the application of primer and adhesive can often produce inconsistent results due to the uncertainty in spreading of the urethane adhesive (column 3, lines 28-30).

Claims 9, 10, 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,257,644 B1 to Young in view of US Patent 5,603,546 to Desir, Sr. as applied to claim 1 and 12 above, and further in view of US Patent 4,849,468 to Murachi et al.

While Desir Sr. fails to disclose the composition of the double sided tape, Murachi et al. discloses improved compositions for adhesive tapes used with synthetic resins such as PVC in automotive trim moldings, the adhesive comprising chloroprene, EPDM, and SRB (column 19, line 21 and column 20, lines 20-28). In view of Murachi et al., it would have been obvious to one of ordinary skill in the art to use an adhesive tape

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comprising chloroprene, EPDM, and SRB on Young's automotive trim molding for its improved adhesive properties.

Priority

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patents 5088787 to Gross, 5273338 to Gooding et al., and 6460300 to Mikkaichi et al. disclose automotive trim moldings employing adhesives.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naoko Slack whose telephone number is (703) 305-0315. The examiner can normally be reached on Mon-Fri (6:00 am-2:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D. Friedman can be reached on (703) 308-0839. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

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NS

February 19, 2003



Carl D. Friedman
Supervisory Patent Examiner
Group 3600